

PALMER & DODGE LLP

111 HUNTINGTON AVENUE AT PRUDENTIAL CENTER
BOSTON, MA 02199-7613

EILEEN M. HERLIHY
617.239.0646
eherlihy@palmerdodge.com

July 16, 2004

Kathleen Boyce
Deputy Clerk for the Honorable Judge Mark L. Wolf
U.S. District Court District of Massachusetts
John Joseph Moakley U.S. Courthouse
1 Courthouse Way
Suite 2300
Boston, MA 02210

Re: In Re: Columbia University Patent Litigation
MDL No. 04-01592

Dear Ms. Boyce:

Pursuant to Judge Wolf's June 23, 2004 Order, Amgen requests that the following items be transferred from *Immunex Corp. and Amgen Inc. v. Columbia*, Case No. 04-10740 to the master docket, MDL No. 1592, Case No. 04-01592: docket nos. 46 – 50, and 52 – 58 (currently in Case No. 04-10740), and Judge Wolf's June 22, 2004 Order granting Mr. Wineburg, Ms. Norton, and Mr. Hasson leave to appear *pro hac vice*. We have attached a copy of the current docket for *Immunex Corp. and Amgen Inc. v. Columbia*, Case No. 04-10740, and the June 22, 2004 Order for your convenience.

In addition, we request that the docket numbering in *Immunex Corp. and Amgen Inc. v. Columbia*, Case No. 04-10740 be corrected to conform with the docket in the California action. Since there were already 70 docket entries in the California action, the numbering in Massachusetts Case No. 04-10740 should start with Docket No. 71. For you convenience we have attached the docket report for the California action.

Thank you for your attention to these matters.

Very truly yours,

/s/Eileen M. Herlihy

Eileen M. Herlihy

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-10740-MLW**

Immunex Corporation et al v. The Trustees of Columbia

University in the City of New York

Assigned to: Judge Mark L. Wolf

Referred to:

Demand: \$

Lead Docket: 1:03-cv-11329-MLW

Related Cases: 04cv10741

04cv10742

04cv10743

1:03-cv-11329-MLW

1:03-cv-11570-MLW

1:03-cv-12221-MLW

1:04-cv-10741-MLW

1:04-cv-10742-MLW

1:04-cv-10743-MLW

Case in other court: None

Cause: 35:271 Patent Infringement

Date Filed: 04/09/04

Jury Demand: None

Nature of Suit: 830 Patent

Jurisdiction: Federal Question

Plaintiff

**Immunex Corporation, a Washington
corporation**

represented by **Arthur Wineburg**
Pillsbury Winthrop
1133 Connecticut Ave, NW
Washington, DC 20036
202-775-9800
Fax : 202-833-8491
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradford E. Biegon
Pillsbury Winthrop
1133 Connecticut Ave, NW
Washington, DC 20036
202-775-9800
Fax : 202-833-8491
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eileen M. Herlihy
Palmer & Dodge, LLP
111 Huntington Avenue
Boston, MA 02108-3190
617-239-0646
Fax : 617-227-4420
Email: eherlihy@palmerdodge.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennie L. La Prade
Pillsbury Winthrop
725 S. Figueroa Street
Suite 2800
Los Angeles, CA 90017-5406
213-488-7100
Fax : 213-629-1033
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kirke M. Hasson
Pillsbury Winthrop LLP
50 Freemont Street
P.O. Box 7880
San Francisco, CA 94120-7880
415-983-1000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicke G Norton
Wilson Sonsini Goodrich & Rosati
3611 Valley Centre Drive
San Diego, CA 92130
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Gee Norton
Pillsbury Winthrop
725 S. Figueroa Street
Suite 2800
Los Angeles, CA 90017-5406
213-488-7100
Fax : 213-629-1033
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amgen Inc., a Delaware corporation

represented by **Arthur Wineburg**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradford E. Biegon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eileen M. Herlihy
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennie L. La Prade
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kirke M. Hasson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicke G Norton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Gee Norton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**The Trustees of Columbia University in
the City of New York, a New York
Corporation**

represented by **DoHoang Thien Duong**
Gibson, Dunn & Crutcher
2029 Century Park E
Suite 4000
Los Angeles, CA 90067-3026
310-552-8500
Fax : 310*551-8741
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kevin S. Rosen
Gibson, Dunn & Crutcher
333 S. Grand Ave
45th Floor
Los Angeles, CA 90071-3197
213-229-7000
Fax : 213-229-7520
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne M. Barsky
Gibson, Dunn & Crutcher LLP
2029 Century Park East
Suite 4000
Los Angeles, CA 90067-3026
310-552-8500
Fax : 310-551-8741
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Filing Date	#	Docket Text
04/09/2004	<u>45</u>	MDL Case transferred in from the Central District of California; Case Number 2:03-4349., filed by Amgen Inc., Immunex Corporation. (Attachments: # <u>1</u> Original Docket)(Abaid, Kim) (Entered: 04/13/2004)
04/09/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler. (Abaid, Kim) (Entered: 04/13/2004)
04/30/2004	<u>46</u>	SEALED DOCUMENT placed in secure file room.. (Boyce, Kathy) (Entered: 05/03/2004)
04/30/2004	<u>47</u>	SEALED DOCUMENT placed in secure file room.. (Boyce, Kathy) (Entered: 05/04/2004)
04/30/2004	<u>48</u>	NOTICE of Appearance by Eileen M. Herlihy on behalf of Amgen Inc., Immunex Corporation (Boyce, Kathy) (Entered: 05/04/2004)
05/18/2004	<u>50</u>	MDL Record received from The U.S. Discrit Court, District of California, Los Angeles (Boyce, Kathy) Additional attachment(s) added on 5/24/2004 (Boyce, Kathy). Additional attachment(s) added on 5/24/2004 (Boyce, Kathy). (Entered: 05/24/2004)
05/20/2004	<u>49</u>	NOTICE by The Trustees of Columbia University in the City of New York <i>of Appearance of Wayne M. Barsky, Kevin S. Rosen, DoHoang T. Duong</i> (McConchie, Scott) (Entered: 05/20/2004)
06/14/2004	<u>51</u>	Judge Mark L. Wolf : ORDER entered cc/cl.(Boyce, Kathy) (Entered: 06/17/2004)
06/16/2004	<u>52</u>	MOTION and Local Rule 7.1 Certification for Leave to Appear Pro Hac Vice by Arthur Wineburg Filing fee \$ 50.00, receipt number 56614. by Amgen Inc., Immunex Corporation, FILED, c/s.(Boyce, Kathy) (Entered: 06/22/2004)
06/16/2004	<u>53</u>	AFFIDAVIT of Arthur Wineburg in Support re <u>52</u> MOTION for Leave to Appear Pro Hac Vice by Arthur Wineburg Filing fee \$ 50.00, receipt number 56614. filed by Amgen Inc., Immunex Corporation, FILED. (Boyce, Kathy) (Entered: 06/22/2004)
06/16/2004	<u>54</u>	MOTION for Leave to Appear Pro Hac Vice and Local Rule 7.1 (A)(2) Certification by Vickie G. Norton Filing fee \$ 50.00, receipt number 56614. by Amgen Inc., Immunex Corporation, filed, c/s.(Boyce, Kathy) (Entered: 06/22/2004)
06/16/2004	<u>55</u>	AFFIDAVIT of Vickie G. Norton in Support re <u>54</u> MOTION for Leave to

		Appear Pro Hac Vice by Vickie G. Norton Filing fee \$ 50.00, receipt number 56614. filed by Amgen Inc., Immunex Corporation (Boyce, Kathy) (Entered: 06/22/2004)
06/16/2004	<u>56</u>	MOTION for Leave to Appear Pro Hac Vice with Locval Rule 7.1 Certification by Kirke M. Hasson Filing fee \$ 50.00, receipt number 56614. by Amgen Inc., Immunex Corporation, FILED, c/s.(Boyce, Kathy) (Entered: 06/22/2004)
06/16/2004	<u>57</u>	CERTIFICATION pursuant to Local Rule 16.1 by Amgen Inc., Immunex Corporation, FILED.(Boyce, Kathy) (Entered: 06/22/2004)
06/16/2004	<u>58</u>	AFFIDAVIT in Support re <u>56</u> MOTION for Leave to Appear Pro Hac Vice by Kirke M. Hasson Filing fee \$ 50.00, receipt number 56614., FILED, c/s. (Boyce, Kathy) (Entered: 06/22/2004)
06/22/2004		Judge Mark L. Wolf : Electronic ORDER entered granting <u>52</u> Motion for Leave to Appear Pro Hac Vice Added Arthur Wineburg for Amgen Inc. and Immunex Corporation, Vicke G Norton for Amgen Inc. and Immunex Corporation, Kirke M. Hasson for Amgen Inc. and Immunex Corporation, granting <u>54</u> Motion for Leave to Appear Pro Hac Vice Added Arthur Wineburg for Amgen Inc. and Immunex Corporation, Vicke G Norton for Amgen Inc. and Immunex Corporation, Kirke M. Hasson for Amgen Inc. and Immunex Corporation, granting <u>56</u> Motion for Leave to Appear Pro Hac Vice Added Arthur Wineburg for Amgen Inc. and Immunex Corporation, Vicke G Norton for Amgen Inc. and Immunex Corporation, Kirke M. Hasson for Amgen Inc. and Immunex Corporation (O'Leary, Dennis) (Entered: 06/23/2004)

PACER Service Center			
Transaction Receipt			
07/16/2004 16:53:42			
PACER Login:	pd0005	Client Code:	817-10
Description:	Docket Report	Case Number:	1:04-cv-10740-MLW
Billable Pages:	3	Cost:	0.21

U.S. District Court
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:03-cv-04349-MRP-CW

Immunex Corporation, et al v. Trustees of Columbia
Assigned to: Judge Mariana R. Pfaelzer
Referred to: Discovery Carla M. Woehrle
Demand: \$0
Cause: 35:0271 Patent Infringement

Date Filed: 06/18/2003
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

**Immunex Corporation, a Washington
corporation**

represented by **Arthur Wineburg**
Pillsbury Winthrop
1133 Connecticut Ave, NW
Washington, DC 20036
202-775-9800
Fax: 202-833-8491
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradford E Biegon
Pillsbury Winthrop
1133 Connecticut Ave, NW
Washington, DC 20036
202-775-9800
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennie L La Prade
Pillsbury Winthrop
725 S Figueroa St, Ste 2800
Los Angeles, CA 90017-5406
213-488-7100
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kirke M Hasson
Pillsbury Winthrop
50 Fremont St
P O Box 7880
San Francisco, CA 94120-7880
415-983-1000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Gee Norton
Pillsbury Winthrop
725 S Figueroa St, Ste 2800

Los Angeles, CA 90017-5406
213-488-7100
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amgen Inc, -, a Delaware corporation

represented by **Arthur Wineburg**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bradford E Biegon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennie L La Prade
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kirke M Hasson
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Vicki Gee Norton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**The Trustees of Columbia University In
The City of New York, a New York
corporation**

represented by **DoHoang Thien Duong**
Gibson Dunn & Crutcher
2029 Century Park E, Ste 4000
Los Angeles, CA 90067-3026
310-552-8500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kevin S Rosen
Gibson Dunn & Crutcher
2029 Century Park E, Ste 4000
Los Angeles, CA 90067-3026
310-552-8500
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kevin S Rosen

Gibson Dunn & Crutcher
333 S Grand Ave, 45th Fl
Los Angeles, CA 90071-3197
213-229-7000
Fax: 213-229-6635
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wayne M Barsky

Gibson Dunn & Crutcher
2029 Century Park E, Ste 4000
Los Angeles, CA 90067-3026
310-552-8500
Fax: 310-551-8741
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

**The Trustees of Columbia University In
The City of New York, a New York
corporation**

V.

Counter Defendant

Amgen Inc, -, a Delaware corporation

**Immunex Corporation, a Washington
corporation**

Date Filed	#	Docket Text
06/18/2003	1	COMPLAINT filed Summons(es) 20 days issued referred to Discovery Carla M. Woehrle (rrey) (Entered: 06/20/2003)
06/18/2003	2	CERTIFICATION AND NOTICE OF INTERESTED PARTIES filed by plaintiffs Immunex Corporation, Amgen Inc (rrey) (Entered: 06/20/2003)
06/18/2003		REPORT ON THE FILING OF AN ACTION REGARDING PATENTS (cc: form mailed to Washington, D.C.)(Opening) (rrey) (Entered: 06/20/2003)
06/18/2003	4	NOTICE by plaintiff Immunex Corporation, plaintiff Amgen Inc - of related case(s) USDC, Northern District of CA, case no C 03-1603 JL (rn) (Entered: 06/20/2003)

		06/23/2003)
06/20/2003	<u>3</u>	ORDER to reassign case due to self-recusal: by Judge A. H. Matz Case reassigned from Judge A. H. Matz to Judge Terry J. Hatter for all further proceedings (rn) (Entered: 06/23/2003)
09/08/2003	<u>5</u>	ORDER TRANSFERRING ACTION Under Section 3.1 of General Order 224 Case transferred from Judge Terry J. Hatter to Judge Mariana R. Pfaelzer for all further proceedings. The case number will now reflect the initials of the transferee Judge [CV 03-4349 MRP (CWx)] (cc: all counsel) (rn) (Entered: 09/08/2003)
09/24/2003		SUMMONS issued as to defendant Trustees of Columbia on first amended complaint (shb) (Entered: 09/25/2003)
09/24/2003	6	FIRST AMENDED COMPLAINT [1-1] by plaintiff Immunex Corporation, plaintiff Amgen Inc - . Summons issued on first amended complaint (shb) (Entered: 09/25/2003)
09/24/2003	7	LIS PENDENS NOTICE filed by Plaintiffs Immunex Corporation, Amgen Inc (el) (Entered: 09/25/2003)
09/30/2003	8	ORIGINAL AFFIDAVIT AND PROOF OF SERVICE executed upon defendant Trustees of Columbia University; Service by None selected on 9/25/03 via personal service by delivering to and leaving copies by serving summons and complaint and other documents with Dana Lemaster, a paralegal in the Office of General Counsel, authorized to accept service of the documents for Elizabeth J Keefer Esq (el) (Entered: 10/01/2003)
10/17/2003	<u>9</u>	STIPULATION and ORDER by Judge Mariana R. Pfaelzer that defendant The Trustees of Columbia University shall have until and including 10/30/03 to respond to the First Amended Complaint (el) (Entered: 10/21/2003)
10/27/2003	10	CERTIFICATE OF INTERESTED PARTIES filed by defendant Trustees of Columbia University in the City of New York (el) (Entered: 10/28/2003)
10/27/2003	11	NOTICE OF MOTION AND MOTION by defendant Trustees of Columbia University in the City of New York to transfer case to the Northern District of California ; motion hearing set for 10:00 11/17/03; Lodged ord (el) (Entered: 10/28/2003)
10/27/2003	12	MEMORANDUM of POINTS AND AUTHORITIES IN SUPPORT by defendant Trustees of Columbia of motion to transfer case to the Northern District of California [11-1] (el) (Entered: 10/28/2003)
10/27/2003	13	DECLARATION of David Gindler in support by defendant Trustees of Columbia of motion to transfer case to the Northern District of California

		[11-1] (el) (Entered: 10/28/2003)
10/27/2003	14	DECLARATION of Dohoang T Duong in support by defendant Trustees of Columbia of motion to transfer case to the Northern District of California [11-1] (el) (Entered: 10/28/2003)
10/27/2003	15	CERTIFICATE OF SERVICE by defendant Trustees of Columbia on 10/27/03 of Motion to Transfer; Memorandum of Points and Authorities in support; Declaration of Dohoang T Duong in support of motion and proposed order, served on Arthur Wineburg Esq (see service list) by mail (el) (Entered: 10/28/2003)
10/27/2003		PLACED IN FILE - NOT USED (Proposed) Order granting motion to transfer (shb) (Entered: 11/24/2003)
10/28/2003	16	SUPPLEMENTAL CERTIFICATE OF SERVICE by defendant Trustees of Columbia re service [15-1], by mail and by personal service (el) (Entered: 10/29/2003)
10/30/2003	17	NOTICE OF MOTION AND MOTION by defendant Trustees of Columbia University to dismiss plaintiffs' seventh claim of relief ; motion hearing set for 10:00 11/24/03; Lodged prop order (el) (Entered: 11/03/2003)
10/30/2003	18	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT by defendant Trustees of Columbia University of motion to dismiss plaintiffs' seventh claim of relief (el) (Entered: 11/03/2003)
10/30/2003	19	CERTIFICATE OF SERVICE by defendant Trustees of Columbia on 10/30/03 of Motion to dismiss plaintiffs' seventh claim for relief; Memorandum of Points and Authorities in support; Proposed Order, served on (see service list) by mail (el) (Entered: 11/03/2003)
10/31/2003	20	CERTIFICATE OF SERVICE by defendant Trustees of Columbia on 10/30/03 of Motion to dismiss plaintiffs' seventh claim for relief;Memorandum of Points and Authorities in support and proposed Order granting its motion to dismiss served on Jennie L La Prade Esq by personal service (el) (Entered: 11/04/2003)
11/03/2003	21	MEMORANDUM OF POINTS AND AUTHORITIES filed by plaintiffs Immunex Corporation and Amgen Inc in opposition to motion to transfer case to the Northern District of California [11-1] (el) (Entered: 11/04/2003)
11/03/2003	22	DECLARATION of Jennie L La Prade in support by Plaintiffs Immunex Corporation, Amgen Inc of opposition to motion to transfer case to the Northern District of California [11-1] (el) (Entered: 11/04/2003)
11/03/2003	23	REQUEST by Plaintiffs Immunex Corporation, Amgen Inc for Judicial Notice in support of motion to transfer case to the Northern District of

		California [11-1] (el) (Entered: 11/04/2003)
11/10/2003	24	MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION by plaintiffs to motion to dismiss plaintiffs' seventh claim of relief [17-1] (pj) (Entered: 11/12/2003)
11/10/2003	25	APPENDIX OF NON FEDERAL AND NON REPORTED AUTHORITIES filed by plaintiffs Immunex Corporation, Amgen Inc in support of opposition [24-1] (pj) (Entered: 11/12/2003)
11/10/2003	26	REPLY BRIEF by defendant Trustees of Columbia in support to motion to transfer case to the Northern Distric of California [11-1] (pj) (Entered: 11/12/2003)
11/10/2003	27	CERTIFICATE OF SERVICE by defendant Trustees of Columbia on 11/10/03 of reply brief in support of Columbia University motion to transfer, supplemental declaration of David Gindler in support, certificate of service (pj) (Entered: 11/12/2003)
11/10/2003	28	SUPPLEMENTAL DECLARATION of DAVID GINDLER IN SUPPORT by defendant Trustees of Columbia re motion to transfer case to the Northern Distric of California [11-1] (pj) (Entered: 11/12/2003)
11/12/2003	<u>29</u>	MINUTES: Having read and considered the documents listed (see document for details). the Court does not feel tht oral argument is necessary in this matter. The defendant's motion to transfer case to the Northern District of California [11-1], is DENIED by Judge Mariana R. Pfaelzer (el) (Entered: 11/13/2003)
11/12/2003	<u>30</u>	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for plaintiff Immunex Corporation, et al by Arthur Wineburg. Designating Jennie L. La Prade as local counsel. Approved by Judge Mariana R. Pfaelzer . (Fee pd) (el) (Entered: 11/13/2003)
11/12/2003	<u>31</u>	APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for plaintiffs Immunex Corporation, and Amgen Inc by Bradford E Biegon. Designating as local counsel Jennie L La Prade. Approved by Judge Mariana R. Pfaelzer. (Fee pd) (el) (Entered: 11/13/2003)
11/12/2003	32	PROOF OF SERVICE by defendant Trustees of Columbia on 11/10/03 of Reply Brief in support of Motion to transfer; Supplemental declaration of David Gindler in support served on Jennie L La Prade Esq by messenger (el) Modified on 11/13/2003 (Entered: 11/13/2003)
11/13/2003	34	EX PARTE APPLICATION filed by plaintiffs for order permitting plaints to file a sur-reply to Columbia's reply brief in support of motion to transfer ; Declaration of Jennie L La Prade (el) (Entered: 11/18/2003)

11/13/2003	35	OBJECTIONS by plaintiff Amgen Inc to defendant's information untimely submitted with its reply brief in support of Columbia's motion to transfer case to the Northern District of California [11-1] (el) (Entered: 11/18/2003)
11/14/2003	<u>33</u>	MINUTES: (IN CHAMBERS) as Plaintiff's ex parte application for an order permitting plaintiffs to file a sur-reply in support of motion to transfer, has been denied, Plaintiff's ex parte filed on 11/13/03 is moot by Judge Mariana R. Pfaelzer CR: Not Present (el) (Entered: 11/17/2003)
11/14/2003		PLACED IN FILE - NOT USED [PROPOSED] ORDER GRANTING EX PARTE APPLICATION FOR ORDER PERMITTING PLAINTIFFS TO FILE A SUR-REPLY IN SUPPORT OF MOTION TO TRANSFER; DECLARATION OF JENNIE L LA PRADE (el) (Entered: 11/17/2003)
11/17/2003	36	REPLY BRIEF in support by defendant Trustees of Columbia to motion to dismiss plaintiffs' seventh claim for relief (el) (Entered: 11/18/2003)
11/19/2003	<u>37</u>	MINUTES: The Court does not feel that oral argument is necessary in this matter. The Defendant's motion to dismiss plaintiffs' seventh claim of relief [17-1], is GRANTED. A memorandum of decision will follow by Judge Mariana R. Pfaelzer (el) (Entered: 11/20/2003)
11/24/2003	<u>38</u>	ORDER by Judge Mariana R. Pfaelzer GRANTING Columbia's motion to dismiss plaintiffs' seventh claim of relief. Paragraph 90 of the Amended Complaint is dismissed with prejudice and the remainder of the Seventh Claim is dismissed without prejudice [17-1] (pj) (Entered: 11/25/2003)
11/26/2003	39	NOTICE OF FILING OF MOTION WITH THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION TO TRANSFER by defendant Trustees of Columbia (pj) (Entered: 12/01/2003)
12/10/2003	40	SECOND AMENDED COMPLAINT [6-1] by Plaintiffs Immunex Corporation, Amgen Inc. Summons not issued (el) (Entered: 12/17/2003)
12/29/2003	41	NOTICE OF MOTION AND MOTION by defendant Trustees of Columbia University to dismiss plaintiffs' seventh claim for relief , or in the alternative for more definite statement ; motion hearing set for 10:00 1/26/04; Lodged order (el) (Entered: 12/30/2003)
12/29/2003	42	MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT by defendant Trustees of Columbia University's motion to dismiss plaintiffs' seventh claim for relief [41-1], or in the alternative for more definite statement [41-2] (el) (Entered: 12/30/2003)
12/29/2003	43	PROOF OF SERVICE by defendant Trustees of Columbia on 12/29/03 of Motion to dismiss 7th claim for relief or in the alternative for a more definite statement; Memorandum of Points and Authorities in support; proposed order served on (see service list) by personal delivery (el) (Entered: 12/30/2003)

		12/30/2003)
12/30/2003	44	CERTIFICATE OF SERVICE BY MESSENGER by defendant Trustees of Columbia on 12/29/03 of Notice of motion and motion to dismiss plaintiffs seventh claim for relief or in the alternative motion for a more definite statement (see document for further detials). (jp) (Entered: 12/31/2003)
01/12/2004	45	MEMORANDUM OF POINTS AND AUTHORITIES filed by Plaintiffs Amgen Inc, Immunex Corporation in Opposition to Motion to Dismiss Plaintiffs' Seventh Claim for Relief, or in the alternative for More Definite Statement[41] . (el,) (Entered: 01/16/2004)
01/12/2004	46	APPENDIX OF NON-FEDERAL and NON-REPORTED AUTHORITIES filed by Plaintiffs Amgen Inc, Immunex Corporation in support of the Opposition of Plaintiffs Immunex Corportion and Amgen Inc to Defendant Columbia's Motion to Dismiss seventh claim for relief, or in the alternative for More Definite Statement[41] . (el,) (Entered: 01/16/2004)
01/12/2004	47	REQUEST FOR JUDICIAL NOTICE in support of Opposition to Defendants' Motion to Dismiss (Plaintiffs' seventh claim for relief, or in the alternative, for More Definite Statement)[41] filed by Plaintiffs Amgen Inc -, Immunex Corporation. Request set for hearing on 1/26/2004 at 10:00 AM before Honorable Mariana R. Pfaelzer. (el,) (Entered: 01/16/2004)
01/12/2004	48	PROOF OF SERVICE filed by Plaintiffs Amgen Inc, Immunex Corporation. regarding [46] Appendix of Non-Federal and Non-Reported Authorities in support of opposiiton to Motion to dismiss [47] Request for Judicial Notice, in support of opposition to motion to dismiss, [45] MEMORANDUM in Opposition to Motion to dismiss, was served on 1/12/04 upon Wayne M Barsky Esq by hand delivery. (el,) (Entered: 01/16/2004)
01/16/2004	49	REPLY BRIEF IN SUPPORT filed by Defendant The Trustees of Columbia University In The City of New York to Motion to Dismiss Plaintiffs' seventh claim for relief, or in the alternative for More Definite Statement[41] (el,) (Entered: 01/20/2004)
01/20/2004	50	EX PARTE APPLICATION for Order Permitting Plaintiffs to file a Sur-Reply to Columbia's Reply Brief in support of Motion to dismiss Plaintiffs' Seventh Claim for Relief, or in the alternative for a more definite statement; Declaration of Jennie L La Prade, filed by Plaintiffs Amgen Inc -, Immunex Corporation. Lodged order. (el,) (Entered: 01/22/2004)
01/20/2004	52	PROOF OF SERVICE filed by Plaintiffs Amgen Inc -, Immunex Corporation of Ex Parte Application for order permitting plaintiffs to file a sur-reply to Columbia's reply brief in support of Motion to dismiss seventh claim and proposed order regarding this motion by hand delivery on 1/20/04. (el,) (Entered: 01/24/2004)
01/21/2004	<u>51</u>	MINUTES In Chambers Conference held before Judge Mariana R. Pfaelzer :

		Order by Judge Mariana R. Pfaelzer denying EX PARTE APPLICATION for Order[50] permitting plaintiffs to file a Sur-reply brief, filed on 1/20/04. Court Reporter: Not Present. (el,) (Entered: 01/22/2004)
01/21/2004		PLACED IN FILE - NOT USED re [Proposed] Order granting Ex parte application for order permitting plaintiffs to file a sur-reply to Columbia's reply brief submitted by Plaintiffs Amgen Inc, Immunex Corporation. (el,) (Entered: 01/22/2004)
01/21/2004	53	OPPOSITION to PLAINTIFFS' EX PARTE APPLICATION for Order[50] filed by OPPOSITION TO PLAINTIIFS The Trustees of Columbia University In The City of New York. (pj,) (Entered: 01/24/2004)
01/26/2004	<u>54</u>	MINUTES In Chambers Conference held before Judge Nora M. Manella : Motion Hearing held regarding Motion to Dismiss Plaintiff's seventh cause for relief, or in the alternative, for More Definite Statement[41]. The Court informs counsel that the above-referenced motion will be taken under submission and a written order forthcoming. Court Reporter: No Appearance. (el,) (Entered: 01/27/2004)
01/28/2004	<u>55</u>	MEMORANDUM OF DECISION and ORDER by Judge Mariana R. Pfaelzer that this Court is allowing the Plaintiff's Seventh Claim for Relief to remain in this case. The Motion to Dismiss [41], is Denied (see document for further details) (el,) (Entered: 01/29/2004)
01/30/2004	56	NOTICE of Ruling on Columbias Motion to dismiss Plaintiffs Seventh Claim for relief, or in the alternative, for a more definite statement filed by Plaintiffs Amgen Inc, Immunex Corporation. (el,) (Entered: 02/06/2004)
02/12/2004	57	ANSWER TO SECOND AMENDED COMPLAINT filed by Defendant The Trustees of Columbia University In The City of New York and COUNTERCLAIM against Amgen Inc and Immunex Corporation. Jury Demand(el,) (Entered: 02/17/2004)
02/18/2004	<u>58</u>	MINUTES In Chambers Conference re Scheduling Order held before Judge Mariana R. Pfaelzer : This case has been placed on the calendar in Courtroom 12 for a Pretrial Conference set for 11/15/2004 10:00 AM and for Bench Trial on 12/7/2004 11:00 AM before Honorable Mariana R. Pfaelzer. Unless excused for good cause, each party shall be represented at the Pre-Trial Conference and all Pre-Trial meetings of counsel by the attorney who is to have charge of the conduct of the trial on behalf of the party. Court further schedules the Discovery cut-off for 8/27/2004, and the Motions cut-off for 9/24/2004. The Court requires strict compliance with the requirements of Local Rule 16. (Please see document for further details) Court Reporter: Not Present. (el,) (Entered: 02/20/2004)
03/08/2004	59	REPLY to COUNTERCLAIMS filed by Plaintiffs Amgen Inc -, Immunex Corporation to Defendant Columbias Counterclaims for Breach of Contract and Declaratory Relief.(el,) (Entered: 03/16/2004)

03/08/2004	60	PROOF OF SERVICE filed by Plaintiffs Amgen Inc, Immunex Corporation. re [59] Answer to Counterclaim, was served on 3/8/04. (el,) (Entered: 03/16/2004)
03/19/2004	61	REQUEST for Status Conference in light of Pending MDL Petition and imminent MDL hearing filed by Defendant and counterclaimant The Trustees of Columbia University In The City of New York. (el,) (Entered: 03/23/2004)
03/19/2004	62	EX PARTE APPLICATION for Order filed by Plaintiffs Amgen Inc, Immunex Corporation (i) To require Columbia to comply with its Rule 26 obligations, (ii) that formal discovery may commence, and (iii) that Amgens written discovery is timely, valid and proper; Declaration of Jennie L La Prade. Lodged Order. (el,) (Entered: 03/23/2004)
03/19/2004	63	PROOF OF SERVICE filed by Plaintiffs Amgen Inc, Immunex Corporation. re [62] EX PARTE APPLICATION for Order; was served on 3/19/04 upon Wayne M Barsky Esq by hand delivery. (el,) (Entered: 03/23/2004)
03/19/2004	64	OPPOSITION filed by Defendant and Counterclaimant The Trustees of Columbia University In The City of New York to EX PARTE APPLICATION for Order filed by Plaintiffs Amgen Inc, Immunex Corporation (i) To require Columbia to comply with its Rule 26 obligations, (ii) that formal discovery may commence, and (iii) that Amgens written discovery is timey, valid and proper [62]. Lodged Order. (el,). (el,) (Entered: 03/23/2004)
03/22/2004	65	MINUTES telephone conference held in chambers and off the record. Order by Judge Mariana R. Pfaelzer that the Court Denies the Plaintiffs EX PARTE APPLICATION for Order (i) To require Columbia to comply with its Rule 26 obligations, (ii) that formal discovery may commence, and (iii) that Amgens written discovery is timely, valid and proper. The Case is stayed until the MDL panel issues a ruling. Defense counsel, Wayne Barsjy will prepare the proposed order. Court Reporter: Not recorded. (el,) (Entered: 03/23/2004)
03/24/2004	66	DECLARATION of Jennie L La Prade re submission of alternative Order Staying Discovery and Denying Amgens EX PARTE APPLICATION [62] filed by Plaintiffs Amgen Inc -, Immunex Corporation. (el,) (Entered: 03/26/2004)
03/24/2004	67	PROOF OF SERVICE filed by Plaintiffs Amgen Inc -, Immunex Corporation. re [66] Declaration of Jennie L La Prade re submission of alternative order; [proposed] order staying discovery and denying ex parte application, was served on 3/24/2004, upon Wayne M Barsky Esq by facsimile. (el,) (Entered: 03/26/2004)
03/25/2004	68	ORDER by Judge Mariana R. Pfaelzer : That 1. All discovery in this action shall be held in abeyance pending a ruling by the MDL Panel on Columbias

		pending petition for consolidated pre-trial proceedings. 2. Amgens[62] Ex Parte Application is DENIED. (el,) (Entered: 03/26/2004)
03/25/2004	<u>69</u>	ORDER by Judge Mariana R. Pfaelzer : STRIKING filed documents from the record; that the documents listed below were improperly filed (see document for details). The Court asked defense counsel to draft the proposed order. IT IS HEREBY ORDERED that the documents shall be stricken from the record and shall not be considered by the Court.(el,) (Entered: 03/26/2004)
04/12/2004		COPY of letter received from the Judicial Panel On MDL - 1592 - with copy of Transfer Order lm,) (Entered: 04/22/2004)
04/20/2004	<u>70</u>	TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation, MDL 1592, transferring case to USDC, District of Massachusetts, and with the consent of that court, assigned to Judge Mark L. Wolf for coordinated or consolidated pretrial proceedings with the actions pending in that district. (Made JS-6. Case Terminated.)(gk,) (Entered: 04/21/2004)
04/29/2004		TRANSMITTAL of documents - mailed all original documents in case file, except original transfer order which is retained and a certified copy of the civil docket sheet to the USDC, District of Massachusetts. cc parties. (gk,) (Entered: 04/29/2004)

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